

RECEIVED

JUL 13 2006

**FINDING OF NO SIGNIFICANT IMPACT
FOR THE PROPOSED FUNDING OF FISH PASSAGE FOR
TWO IRRIGATION DISTRICT PIPING PROJECTS NEAR MILTON-FREEWATER**

FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
SPOKANE, WA

Description of the Proposed Action

The U.S. Fish and Wildlife Service proposes to accept Walla Walla County's Funding Request for two irrigation efficiency proposals near Milton-Freewater, Oregon: the first project is in the Walla Walla River Irrigation District system, which includes 2,200 feet of piping an open irrigation ditch; and the second is in the Hudson Bay District Improvement Company system, which includes up to 2,500 feet of piping of an open irrigation ditch. Implementing these projects will allow legal protection of some Walla Walla River flows, which are already being bypassed by the two districts.

Documents reviewed in preparation of this Finding of No Significant Impact (FONSI) were the *Draft Environmental Assessment for the Proposed Funding of Fish Passage for Two Irrigation District Piping Projects*, issued June 23, 2006 and the *Final Environmental Assessment for the Proposed Funding of Fish Passage for Two Irrigation District Piping Projects* issued July 3, 2006. These documents are incorporated by reference, as described in 40 CFR 1508.13.

Alternatives Considered

1. No action-denial of project implementation for Congressional grant funding for two irrigation efficiency projects.
2. Acceptance and implementation of two irrigation efficiency projects with Congressional grant funds.

Purpose and Need

In evaluating the alternatives, the Services selected the proposed action alternative because the projects are consistent with funding expectations of the 2005 pass-through funds (a Congressional earmark) of \$246,527 in the Partners for Fish and Wildlife Program (Partners Program) provided to the Walla Walla County Watershed Planning (County) for fish passage and salmon recovery efforts. They therefore meet the purpose and need of the Services Partners Program for long-term protection of instream flows and their associated species in the Walla Walla River.

Effects to the Human Environment

Impacts to Spring Branches: There may be unquantifiable impacts to some spring branches. The test aquifer recharge project is southwest of a portion of the Hyline ditch. The ground water tends to flow northwest (Bob Bower, personal communication). Much of the impact is expected to be mitigated through implementation of Hudson Bay District Improvement Company (HBDIC)'s and Walla Walla Basin Watershed Council's (WWBWC) shallow aquifer recharge efforts, although the spatial distribution and movement is not entirely known. Impacts to ground water will also be minimized through additional use of irrigation water on fields as a result of

water savings through these projects.

Impacts to the Walla Walla River: Although the approval of the County's two proposed projects would result in additional river water being conserved and legally protected (up to about 4 cfs) as a result of the piping projects, the conserved water would not result in additional flow in the Walla Walla River.

Impacts to State and Federal Species: We anticipate there would be no habitat change in the river for bull trout or steelhead. However, there would be long-term benefits to bull trout and steelhead due to the legal protection of a portion of the flows that are required, thereby making progress toward legally protecting the entire bypassed flows from the Agreement. The National Marine Fisheries Service (NMFS) and USFWS mutually determined there was no effect on steelhead from these projects. Also, USFWS internal consultations on bulltrout determined there would be no effect from these projects.

Impacts to Water Quantity: Up to 4 cfs of conserved water from the projects would be protected instream using the Oregon Water Resources Department Conserved Water Application Program. Final amounts of instream flow protected depend on the results of the Oregon Water Resources Department's review of the applications.

Impacts to Historic Properties: Effects to historic properties are possible, but will be minimized or addressed through additional review and coordination with Service archaeologists. The Service and the applicants for Partners funding are coordinating with the Service's Region 1 Cultural Resources Team (CRT) to ensure Section 106 compliance is satisfactorily conducted prior to ground disturbing activities associated with the grants for the proposed projects (see Appendix I in EA).

Mitigation and Minimization Measures:

1. All Best Management Practices for laying pipe will be followed as outlined in the final Environmental Assessment.
2. All State and Federal permits will be obtained before implementation, and adhered to.

Impacts to Groundwater: The proposal is not expected to have any significant adverse effects on wetlands and floodplains, pursuant to Executive Orders 11990 and 11988. Impacts to groundwater are minimized through the shallow-water aquifer recharge project, and through additional irrigation to fields. The proposed project does not require a Clean Water Act Permit (33 CFR part 323.4(a)[3].

The proposal is not expected to have any significant effects on the human environment because:

Impacts to Local Landowners: No impacts are anticipated even though several landowners have stated their concern about ongoing or future potential to dry up spring fed tributaries as irrigation efficiency projects are implemented in the Walla Walla River basin. This concern has been stated in several watershed meetings, and in particular at the Walla Walla Bi-State HCP NEPA Scoping meetings for the Bi-State HCP held November 16 and 17, 2006. Local landowners expressed their concern both verbally and in writing. The Service therefore, analyzed effects to groundwater in the draft and final environmental assessments for the Walla Walla Fish Passage

Funds resulting in no or little impact to the groundwater.

Prior to European settlement, the Walla Walla River valley was likely a braided system of many river branches. Much of the mainstem, otherwise known as the Tumulum branch, has been straightened and diked for flood control. Some remnants of the old braids remain, including the Little Walla Walla River which is now managed as an irrigation canal. There are many other small permanent or intermittent streams and springs in a broad area northwest of Milton-Freewater. These are locally referred to as the “spring branches.” In recent years, some of the spring branch tributaries have dried up, or carried less water than in previous years. This may be due to the irrigation districts providing Agreement flows in the Walla Walla River mainstem, or due to other ongoing impacts such as: increased irrigation efficiencies both in the irrigation ditches and the fields, increased urban and rural development with resultant changes to groundwater infiltration, increased use of wells from either farmers or homeowners, or a combination of all of the above.

Although many of the planners in the watershed recognize this change to the hydrology of the spring branches as an issue, we do not completely understand the causes or inter-relationships between the surface water, groundwater, and spring branches.

In 2004, the WWBWC, and HBDIC implemented a recharge project to test aquifer recharge as a tool to address declining aquifer levels and spring flows in the Walla Walla River Valley. The project was operated under a 5-year limited license from Oregon Water Resources Department (OWRD). The license allowed use of up to 50 cfs from November 1 through May 15. In 2004, the project was implemented from April 8 until May 15. The recharge basins are run from HBDIC’s White Ditch, and are up-gradient of the Hyline ditch. The average groundwater intake rate during the test was 14 cfs. The 2004 test showed promising results, namely higher water levels in down-gradient wells. Anecdotal information also described down-gradient streams as running higher. The HBDIC and the WWBWC have expanded the 2004-2005 tests, both in duration and in water volume recharged to the aquifer.

The recharge tests are planned to be continued through the 5-year testing license period, then, assuming continued success, the WWBWC and HBDIC would likely apply to OWRD for a permanent water right (Bob Bower, WWBWC, Personal Communication).

The Service concludes that any potential effects to the groundwater have been mitigated through the recharge project and other components of the irrigation efficiency projects. The two irrigation efficiency projects will not result in increased instream flows in the mainstem Walla Walla River. Water saved through the project will be available for application onto fields. Much of that water will find its way to the shallow-water aquifer.

Tribal Issues: On July 5, 2006, the Service received comments from Gary James of the Confederated Tribes of the Umatilla Indian Reservation (Tribe). The comments are summarized as follows: The Tribe was concerned with the amount of water that will be saved with these efficiency projects, and recommended ensuring that all saved water be transferred to an instream water right. The Tribe also recommended that other efficiency projects like this have occurred, and likely will occur in the future, and we should compare potential benefits from a broad array

of water conservation activities in a watershed or sub-watershed. The Tribe may follow up with written comments.

The Service understands the Tribe's concern that all saved water from these projects should be protected instream. However, protection of water rights instream depends on later analysis by the Oregon Water Resources Department under Oregon State's water law. While we support the protection of the water, the actual analysis and calculation of the water rights is beyond our expertise and the scope of this project.

The Service agrees that as restoration and conservation of fish and water resources continues in the Walla Walla watershed, that we and other entities in the watershed should continue to look at alternative conservation efforts and explore the benefits of these efforts. A watershed analysis process for the Walla Walla Passage projects alone is not justified, given their narrow scope and minor impact. The Habitat Conservation Planning process, and other watershed planning processes would be the appropriate forums for a broader analysis.

Public Review and Coordination with All Interested and Affected Parties

The Service and Walla Walla County have communicated on numerous occasions (See Appendix II in the environmental assessment) on the proposed action. Most recently, on June 23, 2006, the Service shared an informational E-mail with the Walla Walla Bi-State HCP Coordinating Committee mailing list (~90 addressees) which includes the entities above and other landowners and interested parties. Written comments were solicited by June 30, 2006. We received one comment from the Walla Walla Basin Watershed Council, clarifying the receipt of some Oregon Watershed Enhancement Board Funding and one from the Umatilla Tribe.

The proposal has been coordinated with the following interested and/or affected parties. Parties contacted include:

Walla Walla County Watershed Planning
Walla Walla Basin Watershed Council
Hudson Bay District Improvement Company
Walla Walla River Irrigation District
Walla Walla Bi-State HCP Coordinating Committee
National Marine Fisheries Service (NMFS)
Confederated Tribes of the Umatilla Indian Reservation

Conclusion

In summary, as documented in the EA and ours and NMFS biological opinions, the implementation of the two proposed Walla Walla Passage Fund Projects are not expected to result in significant impacts to physical and biological resources. The mitigation and minimization measures are also not expected to result in significant impacts to the human environment.

The Service has determined that the proposal does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section

102(2)(c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required. An environmental assessment has been prepared in support of this finding and is available upon request to the FWS facility identified above.

References:

Draft Environmental Assessment for Fish Passage funds for Two Irrigation District Piping Projects near Milton-Freewater, Oregon, June 23, 2006.

Final Environmental Assessment for Fish Passage funds for Two Irrigation District Piping Projects near Milton-Freewater, Oregon, July 3, 2006.

Acting	<u>Donald W. Steffek</u>	7/7/06
	Assistant Regional Director, Ecological Services	Date
	U.S. Fish and Wildlife Service, Region 1	